

REMARKS

Favorable action on the merits is solicited in view of the foregoing amendments and the following remarks.

I. CLAIM STATUS AND AMENDMENTS

Claims 23-45 are pending and subject to restriction.

Claim 29 is amended to change the ratio from "1:1" to "1:3". Support can be found in the disclosure, for example, at page 9, line 9.

Claims 23-40 and 42 are amended to make minor editorial revisions to better conform to U.S. claim form and practice. Such revisions are non-substantive and not intended to narrow the scope of protection. Such revisions include: revising the claims to correct spelling, grammatical, and punctuation errors; replacing the "characterized by" language with "wherein"; revising the claim language to provide proper antecedent basis throughout the claims. Support can be found in the claims as filed. No new matter has been added.

New dependent claim 46 has been added which further species the ratio between Ginkgo and phosphatidylserine as supported by the disclosure at page 9, line 9. No new matter has been added.

Claims 23-46 are pending upon entry of this amendment.

II. RESPONSE TO RESTRICTION

In response to the Restriction Requirement, Applicants hereby elect, without traverse, the invention of Group I, claims 23-42 and new claim 46, drawn to methods for enhancement of cognitive function and mental fatigue. It is respectfully submitted that new claim 46 should be included and examined with the elected invention.

Please consider the possibility of rejoinder of the non-elected subject matter, upon a determination of allowance of the elected invention, per U.S. rejoinder practice.

Favorable action on the merits is solicited.

Charge the fee of \$50 for the one claim of any type added herewith to our credit card.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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